

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re: : Case No.: 15-24093-GLT  
: Chapter: 13  
John R Scisciani :  
Niccolle L Scisciani :  
: Date: 11/2/2016  
Debtor(s). : Time: 09:30

**PROCEEDING MEMO**

**MATTER:** #14 - Confirmation of Chapter 13 Plan Dated 11-30-15 (NFC)  
#19 - Objection by Select Portfolio

**APPEARANCES:**

Debtor: Lawrence W. Willis  
Trustee: Jana Pail  
SPS: Matthew Pavlovich  
PA DOR: Anthony Kovalchick

**NOTES:**

Pail - 11 months have elapsed. 49 months remain. Debtors' second bankruptcy case. PA Department of Revenue provided a letter in November 2015 stating that 2011-2014 tax returns are unfiled. Debtors testified that there are also unfiled federal tax returns. Debtors have not provided monthly operating reports or a business case questionnaire. With the claim of Deutsche Bank (Claim No. 6) governing, would need a plan payment of \$2,414. Debtor Wife is wage attached and payments remitting. At the current plan payment of \$1,409, plan is current.

Willis - No defense to dismissal without prejudice.

Pail - Requests dismissal without prejudice.

Kovalchick - Debtors have not filed a personal income tax return since 2012. The letter referenced by the trustee was dated November 2015.

Pavlovich - No opposition to dismissal

**OUTCOME:**

1. Debtors to file all unfiled state and federal tax returns (2014-2015) within 30 days or the case may be dismissed without further notice or hearing. (CT to prepare).
2. Notice of Oral Motion to Dismiss to be issued. (Chambers to prepare).

**DATED:** 11/2/2016